

GHAJAR

EXHIBIT 18

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 12 **UNITED STATES DISTRICT COURT**
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

13
 14 RICHARD KADREY, *et al.*,

15 Case No. 3:23-cv-03417-VC

16 Individual and Representative
 17 Plaintiffs,

18 **PLAINTIFF TA-NEHISI COATES'S
 19 SECOND SUPPLEMENTAL RESPONSES
 TO DEFENDANT'S SECOND AND THIRD
 20 SETS OF REQUESTS FOR ADMISSIONS**

v.
 META PLATFORMS, INC, a Delaware
 corporation,

Defendant.

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1 **PROPOUNDING PARTY: Defendant Meta Platforms, Inc.**

2 **RESPONDING PARTY: Plaintiff Ta-Nehisi Coates**

3 **SET NO.: One (Requests Nos. 24 [Second Supplemental], 69 And 70**
 4 **[First Supplemental])**

5 **INTRODUCTION**

6 Plaintiff Ta-Nehisi Coates (“Plaintiff”) hereby serves his responses and objections to
 7 Defendant Meta Platforms, Inc.’s (“Defendant” or “Meta”) First Set of Requests for Admissions
 8 (the “Requests” or “RFAs”).

9 **SUPPLEMENTAL RESPONSES TO REQUESTS FOR ADMISSIONS**

10 **REQUEST FOR ADMISSION NO. 24:**

11 Admit that YOU are personally unaware of any text generated by any of Meta’s Llama
 12 models that infringes YOUR ASSERTED WORKS.

13 **RESPONSE TO REQUEST FOR ADMISSION NO. 24:**

14 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling
 15 for discovery that is irrelevant and/or disproportional to the needs of the case because, as defined,
 16 it includes any person asked, hired, retained, or contracted to assist Plaintiff. Plaintiff will construe
 17 the terms “You” and “Your” as referring to Plaintiff Ta-Nehisi Coates. Plaintiff objects to the
 18 phrase “personally unaware” as unintelligible. Plaintiff, in his individual capacity, responds, admit.

19 **SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 24:**

20 Plaintiff objects that the term “personally unaware” is vague and ambiguous. Plaintiff
 21 objects to the extent that responding to this Request requires adopting a legal conclusion. Plaintiff
 22 further objects to this Request as an improper subject of a Request for Admission.

23 Subject to and without waiving these objections, Plaintiff DENIES Request No. 24 based
 24 on the existence of material from his Asserted Works that purportedly is output from a Meta Large
 25 Language Model and has been made publicly available without his permission

26 **REQUEST FOR ADMISSION NO. 69:**

27 Admit that YOU have not granted the publishers of YOUR ASSERTED WORK(S) the
 28 right to license the ASSERTED WORK(S) as training data for LLMs.

1 **RESPONSE TO REQUEST FOR ADMISSION NO. 69:**

2 Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions
 3 Nos. 9, 10, and 11. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at
 4 *5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and
 5 duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a)
 6 and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los
 7 Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014).

8 Subject to and without waiving these general and specific objections, Plaintiff admits that
 9 Plaintiff has entered into licensing agreements with Plaintiff’s publisher for the Asserted Works
 10 and directs Meta to the terms of such licensing agreements, which speak for themselves.

11 **SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 69:**

12 Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions
 13 Nos. 9, 10, and 11. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at
 14 *5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and
 15 duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a)
 16 and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los
 17 Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014). Plaintiff
 18 objects to this Request to the extent it calls for a legal conclusion, is overbroad and to the extent it
 19 calls for privileged information.

20 Subject to and without waiving these objections, Plaintiff ADMITS Request No. 69 insofar
 21 as Plaintiff maintains these rights, and Plaintiff’s publisher has not, to date, presented Plaintiff a
 22 proposal similar to the publicly-reported Harper Collins agreement, which demonstrates that
 23 publishers assist in aggregating licenses that compensate authors for the acquisition of and use of
 24 their copyrighted material in connection with LLMs.

25 **REQUEST FOR ADMISSION NO. 70:**

26 Admit that the publishers of YOUR ASSERTED WORK(S) do not possess the right to
 27 license the ASSERTED WORK(S) as training data for LLMs.

1 **RESPONSE TO REQUEST FOR ADMISSION NO. 70:**

2 Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions
 3 Nos. 9, 10, 11, and 69. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891,
 4 at *5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative
 5 and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule
 6 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty.*
 7 *of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014).

8 Subject to and without waiving these general and specific objections, Plaintiff admits that
 9 Plaintiff has entered into licensing agreements with Plaintiff’s publisher for the Asserted Works
 10 and directs Meta to the terms of such licensing agreements, which speak for themselves.

11 **SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 70:**

12 Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions
 13 Nos. 9, 10, 11, and 69. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891,
 14 at *5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative
 15 and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule
 16 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty.*
 17 *of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014).
 18 Plaintiff objects to this Request to the extent it calls for a legal conclusion, is overbroad, and to the
 19 extent that it calls for privileged information.

20 Subject to and without waiving these objections, Plaintiff ADMITS Request No. 70 to the
 21 extent that he is the owner of those rights, but Plaintiff DENIES that publishers cannot serve as
 22 intermediaries and DENIES any implication that publishers play no role in licensing copyrighted
 23 works, including the acquisition of and use of such works in connection with LLMs.

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1 Dated: December 27, 2024

2 By: /s/ Bryan L. Clobes
3 Bryan L. Clobes

4 Bryan L. Clobes (*pro hac vice*)
5 Alexander J. Sweatman (*pro hac vice*)
6 Mohammed A. Rathur (*pro hac vice*)
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22 *Counsel for Individual and Representative Plaintiffs*
23 *and the Proposed Class*

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17 *Counsel for Individual and Representative*
18 *Plaintiffs and the Proposed Class*

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

15 RICHARD KADREY, *et al.*,

Case No. 3:23-cv-03417-VC

16 Individual and Representative
17 Plaintiffs,

**PLAINTIFF JUNOT DIAZ'S SECOND
SUPPLEMENTAL RESPONSES TO
DEFENDANT'S SECOND AND THIRD
SETS OF REQUESTS FOR ADMISSIONS**

18 v.

19 META PLATFORMS, INC, a Delaware
20 corporation,

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Defendant.

1 **PROPOUNDING PARTY: Defendant Meta Platforms, Inc.**

2 **RESPONDING PARTY: Plaintiff Junot Diaz**

3 **SET NO.: One (Requests Nos. 24 [Second Supplemental], 67 And 68**
 4 **[First Supplemental])**

5 **INTRODUCTION**

6 Plaintiff Junot Diaz (“Plaintiff”) hereby serves his responses and objections to Defendant
 7 Meta Platforms, Inc.’s (“Defendant” or “Meta”) First Set of Requests for Admissions (the
 8 “Requests” or “RFAs”).

9 **SUPPLEMENTAL RESPONSES TO REQUESTS FOR ADMISSIONS**

10 **REQUEST FOR ADMISSION NO. 24:**

11 Admit that YOU are personally unaware of any text generated by any of Meta’s Llama
 12 models that infringes YOUR ASSERTED WORKS.

13 **RESPONSE TO REQUEST FOR ADMISSION NO. 24:**

14 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling
 15 for discovery that is irrelevant and/or disproportional to the needs of the case because, as defined,
 16 it includes any person asked, hired, retained, or contracted to assist Plaintiff. Plaintiff will construe
 17 the terms “You” and “Your” as referring to Plaintiff Junot Diaz. Plaintiff objects to the phrase
 18 “personally unaware” as unintelligible. Plaintiff, in his individual capacity, responds, admit.

19 **SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 24:**

20 Plaintiff objects that the term “personally unaware” is vague and ambiguous. Plaintiff
 21 objects to the extent that responding to this Request requires adopting a legal conclusion. Plaintiff
 22 further objects to this Request as an improper subject of a Request for Admission.

23 Subject to and without waiving these objections, Plaintiff DENIES Request No. 24 based
 24 on the existence of material from his Asserted Works that purportedly is output from a Meta Large
 25 Language Model and has been made publicly available without his permission

26 **REQUEST FOR ADMISSION NO. 67:**

27 Admit that YOU have not granted the publishers of YOUR ASSERTED WORK(S) the
 28 right to license the ASSERTED WORK(S) as training data for LLMs.

1 **RESPONSE TO REQUEST FOR ADMISSION NO. 67:**

2 Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions
 3 Nos. 9, 10, and 11. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at
 4 *5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and
 5 duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a)
 6 and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los
 7 Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014).

8 Subject to and without waiving these general and specific objections, Plaintiff admits that
 9 Plaintiff has entered into licensing agreements with Plaintiff’s publisher for the Asserted Works
 10 and directs Meta to the terms of such licensing agreements, which speak for themselves.

11 **SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 67:**

12 Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions
 13 Nos. 9, 10, and 11. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at
 14 *5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and
 15 duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a)
 16 and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los
 17 Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014). Plaintiff
 18 objects to this Request to the extent it calls for a legal conclusion, is overbroad and to the extent it
 19 calls for privileged information.

20 Subject to and without waiving these objections, Plaintiff ADMITS Request No. 67 insofar
 21 as Plaintiff maintains these rights, and Plaintiff’s publisher has not, to date, presented Plaintiff a
 22 proposal similar to the publicly-reported Harper Collins agreement, which demonstrates that
 23 publishers assist in aggregating licenses that compensate authors for the acquisition of and use of
 24 their copyrighted material in connection with LLMs.

25 **REQUEST FOR ADMISSION NO. 68:**

26 Admit that the publishers of YOUR ASSERTED WORK(S) do not possess the right to
 27 license the ASSERTED WORK(S) as training data for LLMs.

1 **RESPONSE TO REQUEST FOR ADMISSION NO. 68:**

2 Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions
 3 Nos. 9, 10, 11, and 69. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891,
 4 at *5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative
 5 and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule
 6 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty.*
 7 *of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014).

8 Subject to and without waiving these general and specific objections, Plaintiff admits that
 9 Plaintiff has entered into licensing agreements with Plaintiff’s publisher for the Asserted Works
 10 and directs Meta to the terms of such licensing agreements, which speak for themselves.

11 **SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 68:**

12 Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions
 13 Nos. 9, 10, 11, and 69. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891,
 14 at *5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative
 15 and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule
 16 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty.*
 17 *of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014).
 18 Plaintiff objects to this Request to the extent it calls for a legal conclusion, is overbroad, and to the
 19 extent that it calls for privileged information.

20 Subject to and without waiving these objections, Plaintiff ADMITS Request No. 68 to the
 21 extent that he is the owner of those rights, but Plaintiff DENIES that publishers cannot serve as
 22 intermediaries and DENIES any implication that publishers play no role in licensing copyrighted
 23 works, including the acquisition of and use of such works in connection with LLMs.

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1 Dated: December 27, 2024

2 By: /s/ Bryan L. Clobes
3 Bryan L. Clobes

4 Bryan L. Clobes (*pro hac vice*)
5 Alexander J. Sweatman (*pro hac vice*)
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24 and the Proposed Class*

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18 *Attorneys for Plaintiff Christopher Farnsworth and
Representative Plaintiffs and the Proposed Class*

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

23 RICHARD KADREY, *et al.*

Case No. 3:23-cv-03417-VC

24 Individual and Representative Plaintiffs,

PLAINTIFF CHRISTOPHER
FARNSWORTH'S SECOND
SUPPLEMENTAL RESPONSES TO
DEFENDANT'S FIRST SET OF REQUESTS
FOR ADMISSIONS

25

26 META PLATFORMS, INC, a Delaware
27 corporation,

Defendant.

SECOND SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 26:

Plaintiff objects that the term “personally unaware” is vague and ambiguous. Plaintiff objects to the extent that responding to this Request requires adopting a legal conclusion. Plaintiff further objects to this Request as an improper subject of a Request for Admission.

Subject to and without waiving these objections, Plaintiff DENIES Request No. 26 based on the existence of material from his Asserted Works that purportedly is output from a Meta Large Language Model and has been made publicly available without his permission.

REQUEST FOR ADMISSION NO. 74:

Admit that YOU have not granted the publishers of YOUR ASSERTED WORK(S) the right to license the ASSERTED WORK(S) as training data for LLMs.

RESPONSE TO REQUEST FOR ADMISSION NO. 74:

Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions Nos. 9, 10, and 11. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at *5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission … are unreasonably cumulative and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014).

Subject to and without waiving these general and specific objections, Plaintiff admits that Plaintiff has entered into licensing agreements with Plaintiff’s publisher for the Asserted Works and directs Meta to the terms of such licensing agreements, which speak for themselves.

SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 74:

Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions Nos. 9, 10, and 11. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at *5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission … are unreasonably cumulative and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014).

Plaintiff objects to this Request to the extent it calls for a legal conclusion, is overbroad and to the

1 extent it calls for privileged information.

2 Subject to and without waiving these objections, Plaintiff ADMITS Request No. 74
 3 insofar as Plaintiff maintains these rights, and Plaintiff's publisher has not, to date, presented
 4 Plaintiff a proposal similar to the publicly-reported Harper Collins agreement, which
 5 demonstrates that publishers can assist in aggregating licenses that compensate authors for the
 6 acquisition of and use of their copyrighted material in connection with LLMs.

7 **REQUEST FOR ADMISSION NO. 75:**

8 Admit that the publishers of YOUR ASSERTED WORK(S) do not possess the right to
 9 license the ASSERTED WORK(S) as training data for LLMs.

10 **RESPONSE TO REQUEST FOR ADMISSION NO. 75:**

11 Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions
 12 Nos. 9, 10, 11, and 69. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891,
 13 at *5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission … are unreasonably cumulative
 14 and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule
 15 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty.*
 16 *of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014).

17 Subject to and without waiving these general and specific objections, Plaintiff admits that
 18 Plaintiff has entered into licensing agreements with Plaintiff's publisher for the Asserted Works
 19 and directs Meta to the terms of such licensing agreements, which speak for themselves.

20 **SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 75:**

21 Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions
 22 Nos. 9, 10, 11, and 69. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891,
 23 at *5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission … are unreasonably cumulative
 24 and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule
 25 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty.*
 26 *of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014).
 27 Plaintiff objects to this Request to the extent it calls for a legal conclusion, is overbroad, and to
 28 the extent that it calls for privileged information.

Subject to and without waiving these objections, Plaintiff ADMITS Request No. 75 to the extent that he is the owner of those rights, but Plaintiff DENIES that publishers cannot serve as intermediaries and DENIES any implication that publishers play no role in licensing copyrighted works, including the acquisition of and use of such works in connection with LLMs.

Dated: December 27, 2024 Respectfully submitted,

LIEFF CABRASER HEIMANN & BERNSTEIN, LLP

By: /s/ Rachel Geman
Rachel Geman

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14 *Counsel for Individual and Representative Plaintiffs*
15 *and the Proposed Class*

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20 **UNITED STATES DISTRICT COURT**
21 **NORTHERN DISTRICT OF CALIFORNIA**
22 **SAN FRANCISCO DIVISION**

23 Richard Kadrey, et al.,

24 *Individual and Representative Plaintiffs,*

25 v.

26 Meta Platforms, Inc.,

27 *Defendant.*

28 | Lead Case No. 3:23-cv-03417-VC
| Case No. 4:23-cv-06663

PLAINTIFF CHRISTOPHER GOLDEN'S
RESPONSES TO DEFENDANT META
PLATFORMS, INC.'S THIRD SET OF
REQUESTS FOR ADMISSION

1 No. 08-CV-1661-LAB-NLS, 2011 WL 719206, at *6 (S.D. Cal. Feb. 22, 2011) (*citing Google Inc. v.*
 2 *American Blind & Wallpaper Factory, Inc.*, No. C. 03-5340 JF (RS), 2006 WL 2578277 (N.D. Cal. Sept.
 3 6, 2006)). To discover new information, parties must use other methods, like depositions, document
 4 requests, or interrogatories. *See, e.g., Republic of Turkey v. Christie's, Inc.*, 326 F.R.D. 394, 399
 5 (S.D.N.Y. 2018) (explaining that “[w]hile the basic purpose of discovery is to elicit facts and
 6 information and to obtain production of documents, Rule 36 was not designed for this purpose.”)
 7 (quoting 7 Moore’s Federal Practice § 36.02[1])); *Spectrum Dynamics Med. Ltd. V. Gen. Elec. Co.*, 18-
 8 CV-11386-VSB-KHP, 2021 WL 735241, at *2 (S.D.N.Y. Feb. 25, 2021) (explaining that RFAs “are not
 9 designed to discover information like other discovery rules such as Rule 34” and excusing a party from
 10 responding where RFAs were “tantamount to contention interrogatories”). Plaintiff further objects to
 11 this Request as calling for legal analysis and a legal conclusion.

12 Subject to and without waiver of the foregoing objections, Subject to and without waiver of the
 13 foregoing objections, no response is required; and to the extent one is required, Plaintiff lacks sufficient
 14 knowledge to either admit or deny this Request.

15 **REQUEST FOR ADMISSION NO. 71:**

16 Admit that YOU have not granted the publishers of YOUR ASSERTED WORK(S) the right to
 17 license the ASSERTED WORK(S) as training data for LLMs.

18 **RESPONSE TO REQUEST NO. 71:**

19 Plaintiff objects to this Request as unreasonably cumulative of Requests for Admission Numbers
 20 9, 10, and 11. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at *5 (E.D. Cal.
 21 Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and duplicative of
 22 other discovery taken in the case, the requests do not serve the purpose of Rule 36(a) and are properly
 23 subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los Angeles*, No. CV 13-
 24 3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014).

25 Subject to and without waiver of the foregoing objections, Plaintiff admits he has not granted the
 26 publisher of his ASSERTED WORKS the right to license the ASSERTED WORKS as training data for
 27 LLMs. Plaintiff further responds that Plaintiff has entered into licensing agreements with Plaintiff’s

1 publisher for the ASSERTED WORK and directs Meta to the terms of such licensing agreements,
 2 which speak for themselves.

3 **REQUEST FOR ADMISSION NO. 72:**

4 Admit that the publishers of YOUR ASSERTED WORK(S) do not possess the right to license
 5 the ASSERTED WORK(S) as training data for LLMs.

6 **RESPONSE TO REQUEST NO. 72:**

7 Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions
 8 Numbers 9, 10, 11, and 69. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at *5
 9 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and
 10 duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a) and
 11 are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los Angeles*,
 12 No. CV 13-3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014).

13 Subject to and without waiver of the foregoing objections, Plaintiff admits that the publisher of
 14 his ASSERTED WORKS does not possess the right to license the ASSERTED WORKS as training
 15 data for LLMs. Plaintiff further responds that he has entered into licensing agreements with Plaintiff’s
 16 publisher for the ASSERTED WORKS and directs Meta to the terms of such licensing agreements,
 17 which speak for themselves.

18 **REQUEST FOR ADMISSION NO. 73:**

19 Admit that the publishers of YOUR ASSERTED WORK(S) would need YOUR permission to
 20 license the ASSERTED WORK(S) as training data for LLMs.

21 **RESPONSE TO REQUEST NO. 73:**

22 Plaintiff objects to this Request as vague and ambiguous as to the phrase, “YOUR permission.”
 23 Plaintiff further objects to this Request because it is an incomplete hypothetical untethered to the facts
 24 of the case. *See, e.g., Buchanan v. Chi. Transit Auth.*, No. 16-cv-4577, 2016 WL 7116591, at *5 (N.D. Ill.
 25 Dec. 7, 2016) (“Since requests to admit ‘must be connected to the facts of the case, courts do not
 26 permit “hypothetical” questions within requests for admission.’”); *Fulhorst v. Un. Techs. Auto., Inc.*,
 27 No. Civ. A. 96-577-JJF, 1997 WL 873548, at *3 (D. Del. Nov. 17, 1997) (denying request “asking
 28 Plaintiff to admit to infringement in the context of the hypothetical use of its device”); Fed. R. Civ. P.

1 Dated: November 18, 2024

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THE JOURNAL OF CLIMATE

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

RICHARD KADREY, *et al.*,

Case No. 3:23-cv-03417-VC

Individual and Representative Plaintiffs,

**PLAINTIFF ANDREW SEAN GREER'S
SECOND SUPPLEMENTAL RESPONSES
TO DEFENDANT'S SECOND AND THIRD
SETS OF REQUESTS FOR ADMISSIONS**

META PLATFORMS, INC, a Delaware corporation.

Defendant.

1 **PROPOUNDING PARTY: Defendant Meta Platforms, Inc.**

2 **RESPONDING PARTY: Plaintiff Andrew Sean Greer**

3 **SET NO.: One (Requests Nos. 24 [Second Supplemental], 70 And 71**
 4 **[First Supplemental])**

5 **INTRODUCTION**

6 Plaintiff Andrew Sean Greer (“Plaintiff”) hereby serves his responses and objections to
 7 Defendant Meta Platforms, Inc.’s (“Defendant” or “Meta”) First Set of Requests for Admissions
 8 (the “Requests” or “RFAs”).

9 **SUPPLEMENTAL RESPONSES TO REQUESTS FOR ADMISSIONS**

10 **REQUEST FOR ADMISSION NO. 24:**

11 Admit that YOU are personally unaware of any text generated by any of Meta’s Llama
 12 models that infringes YOUR ASSERTED WORKS.

13 **RESPONSE TO REQUEST FOR ADMISSION NO. 24:**

14 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling
 15 for discovery that is irrelevant and/or disproportional to the needs of the case because, as defined,
 16 it includes any person asked, hired, retained, or contracted to assist Plaintiff. Plaintiff will construe
 17 the terms “You” and “Your” as referring to Plaintiff Andrew Sean Greer. Plaintiff objects to the
 18 phrase “personally unaware” as unintelligible. Plaintiff, in his individual capacity, responds, admit.

19 **SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 24:**

20 Plaintiff objects that the term “personally unaware” is vague and ambiguous. Plaintiff
 21 objects to the extent that responding to this Request requires adopting a legal conclusion. Plaintiff
 22 further objects to this Request as an improper subject of a Request for Admission.

23 Subject to and without waiving these objections, Plaintiff DENIES Request No. 24 based
 24 on the existence of material from his Asserted Works that purportedly is output from a Meta Large
 25 Language Model and has been made publicly available without his permission

26 **REQUEST FOR ADMISSION NO. 70:**

27 Admit that YOU have not granted the publishers of YOUR ASSERTED WORK(S) the
 28 right to license the ASSERTED WORK(S) as training data for LLMs.

1 **RESPONSE TO REQUEST FOR ADMISSION NO. 70:**

2 Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions
 3 Nos. 9, 10, and 11. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at
 4 *5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and
 5 duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a)
 6 and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los
 7 Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014).

8 Subject to and without waiving these general and specific objections, Plaintiff admits that
 9 Plaintiff has entered into licensing agreements with Plaintiff’s publisher for the Asserted Works
 10 and directs Meta to the terms of such licensing agreements, which speak for themselves.

11 **SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 70:**

12 Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions
 13 Nos. 9, 10, and 11. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at
 14 *5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and
 15 duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a)
 16 and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los
 17 Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014). Plaintiff
 18 objects to this Request to the extent it calls for a legal conclusion, is overbroad and to the extent it
 19 calls for privileged information.

20 Subject to and without waiving these objections, Plaintiff ADMITS Request No. 70 insofar
 21 as Plaintiff maintains these rights, and Plaintiff’s publisher has not, to date, presented Plaintiff a
 22 proposal similar to the publicly-reported Harper Collins agreement, which demonstrates that
 23 publishers assist in aggregating licenses that compensate authors for the acquisition of and use of
 24 their copyrighted material in connection with LLMs.

25 **REQUEST FOR ADMISSION NO. 71:**

26 Admit that the publishers of YOUR ASSERTED WORK(S) do not possess the right to
 27 license the ASSERTED WORK(S) as training data for LLMs.

1 **RESPONSE TO REQUEST FOR ADMISSION NO. 71:**

2 Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions
 3 Nos. 9, 10, 11, and 69. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891,
 4 at *5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative
 5 and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule
 6 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty.*
 7 *of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014).

8 Subject to and without waiving these general and specific objections, Plaintiff admits that
 9 Plaintiff has entered into licensing agreements with Plaintiff’s publisher for the Asserted Works
 10 and directs Meta to the terms of such licensing agreements, which speak for themselves.

11 **SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 71:**

12 Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions
 13 Nos. 9, 10, 11, and 69. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891,
 14 at *5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative
 15 and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule
 16 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty.*
 17 *of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014).
 18 Plaintiff objects to this Request to the extent it calls for a legal conclusion, is overbroad, and to the
 19 extent that it calls for privileged information.

20 Subject to and without waiving these objections, Plaintiff ADMITS Request No. 71 to the
 21 extent that he is the owner of those rights, but Plaintiff DENIES that publishers cannot serve as
 22 intermediaries and DENIES any implication that publishers play no role in licensing copyrighted
 23 works, including the acquisition of and use of such works in connection with LLMs.

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1 Dated: December 27, 2024

2 By: /s/ Bryan L. Clobes
3 Bryan L. Clobes

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17 *Counsel for Individual and Representative*
18 *Plaintiffs and the Proposed Class*

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

15 RICHARD KADREY, *et al.*,

Case No. 3:23-cv-03417-VC

16 Individual and Representative
17 Plaintiffs,

PLAINTIFF DAVID HENRY HWANG'S
SECOND SUPPLEMENTAL RESPONSES
TO DEFENDANT'S SECOND AND THIRD
SET OF REQUESTS FOR ADMISSIONS

18 v.

19 META PLATFORMS, INC, a Delaware
20 corporation,

Defendant.

1 **PROPOUNDING PARTY: Defendant Meta Platforms, Inc.**

2 **RESPONDING PARTY: Plaintiff David Henry Hwang**

3 **SET NO.: One (Requests Nos. 24 [Second Supplemental], 69 And 70**

4 **[First Supplemental]**

5 **INTRODUCTION**

6 Plaintiff David Henry Hwang (“Plaintiff”) hereby serves his responses and objections to
 7 Defendant Meta Platforms, Inc.’s (“Defendant” or “Meta”) First Set of Requests for Admissions
 8 (the “Requests” or “RFAs”).

9 **SUPPLEMENTAL RESPONSES TO REQUESTS FOR ADMISSIONS**

10 **REQUEST FOR ADMISSION NO. 24:**

11 Admit that YOU are personally unaware of any text generated by any of Meta’s Llama
 12 models that infringes YOUR ASSERTED WORKS.

13 **RESPONSE TO REQUEST FOR ADMISSION NO. 24:**

14 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling
 15 for discovery that is irrelevant and/or disproportional to the needs of the case because, as defined,
 16 it includes any person asked, hired, retained, or contracted to assist Plaintiff. Plaintiff will construe
 17 the terms “You” and “Your” as referring to Plaintiff David Henry Hwang. Plaintiff objects to the
 18 phrase “personally unaware” as unintelligible. Plaintiff, in his individual capacity, responds, admit.

19 **SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 24:**

20 Plaintiff objects that the term “personally unaware” is vague and ambiguous. Plaintiff
 21 objects to the extent that responding to this Request requires adopting a legal conclusion. Plaintiff
 22 further objects to this Request as an improper subject of a Request for Admission.

23 Subject to and without waiving these objections, Plaintiff DENIES Request No. 24 based
 24 on the existence of material from his Asserted Works that purportedly is output from a Meta Large
 25 Language Model and has been made publicly available without his permission

26 **REQUEST FOR ADMISSION NO. 69:**

27 Admit that YOU have not granted the publishers of YOUR ASSERTED WORK(S) the
 28 right to license the ASSERTED WORK(S) as training data for LLMs.

1 **RESPONSE TO REQUEST FOR ADMISSION NO. 69:**

2 Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions
 3 Nos. 9, 10, and 11. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at
 4 *5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and
 5 duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a)
 6 and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los
 7 Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014).

8 Subject to and without waiving these general and specific objections, Plaintiff admits that
 9 Plaintiff has entered into licensing agreements with Plaintiff’s publisher for the Asserted Works
 10 and directs Meta to the terms of such licensing agreements, which speak for themselves.

11 **SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 69:**

12 Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions
 13 Nos. 9, 10, and 11. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at
 14 *5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and
 15 duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a)
 16 and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los
 17 Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014). Plaintiff
 18 objects to this Request to the extent it calls for a legal conclusion, is overbroad and to the extent it
 19 calls for privileged information.

20 Subject to and without waiving these objections, Plaintiff ADMITS Request No. 69 insofar
 21 as Plaintiff maintains these rights, and Plaintiff’s publisher has not, to date, presented Plaintiff a
 22 proposal similar to the publicly-reported Harper Collins agreement, which demonstrates that
 23 publishers assist in aggregating licenses that compensate authors for the acquisition of and use of
 24 their copyrighted material in connection with LLMs.

25 **REQUEST FOR ADMISSION NO. 70:**

26 Admit that the publishers of YOUR ASSERTED WORK(S) do not possess the right to
 27 license the ASSERTED WORK(S) as training data for LLMs.

1 **RESPONSE TO REQUEST FOR ADMISSION NO. 70:**

2 Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions
 3 Nos. 9, 10, 11, and 69. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891,
 4 at *5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative
 5 and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule
 6 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty.*
 7 *of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014).

8 Subject to and without waiving these general and specific objections, Plaintiff admits that
 9 Plaintiff has entered into licensing agreements with Plaintiff’s publisher for the Asserted Works
 10 and directs Meta to the terms of such licensing agreements, which speak for themselves.

11 **SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 70:**

12 Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions
 13 Nos. 9, 10, 11, and 69. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891,
 14 at *5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative
 15 and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule
 16 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty.*
 17 *of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014).
 18 Plaintiff objects to this Request to the extent it calls for a legal conclusion, is overbroad, and to the
 19 extent that it calls for privileged information.

20 Subject to and without waiving these objections, Plaintiff ADMITS Request No. 70 to the
 21 extent that he is the owner of those rights, but Plaintiff DENIES that publishers cannot serve as
 22 intermediaries and DENIES any implication that publishers play no role in licensing copyrighted
 23 works, including the acquisition of and use of such works in connection with LLMs.

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1 Dated: December 27, 2024

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28 **UNITED STATES DISTRICT COURT**
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

Richard Kadrey, et al.,

Individual and Representative Plaintiffs,

v.

Meta Platforms, Inc.,

Defendant.

Lead Case No. 3:23-cv-03417-VC
Case No. 4:23-cv-06663

**PLAINTIFF RICHARD KADREY'S
RESPONSES TO DEFENDANT META
PLATFORMS, INC.'S THIRD SET OF
REQUESTS FOR ADMISSION**

REQUEST FOR ADMISSION NO. 75:

Admit that YOU have not granted the publishers of YOUR ASSERTED WORK(S) the right to license the ASSERTED WORK(S) as training data for LLMs.

RESPONSE TO REQUEST NO. 75:

Plaintiff objects to this Request as unreasonably cumulative of Requests for Admission Numbers 9, 10, and 11. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at *5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014).

Subject to and without waiver of the foregoing objections, Plaintiff admits he has not granted the publisher of his ASSERTED WORKS the right to license the ASSERTED WORKS as training data for LLMs. Plaintiff further responds that Plaintiff has entered into licensing agreements with Plaintiff’s publisher for the ASSERTED WORKS and directs Meta to the terms of such licensing agreements, which speak for themselves.

REQUEST FOR ADMISSION NO. 76:

Admit that the publishers of YOUR ASSERTED WORK(S) do not possess the right to license the ASSERTED WORK(S) as training data for LLMs.

RESPONSE TO REQUEST NO. 76:

Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions Numbers 9, 10, 11, and 69. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at *5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014).

Subject to and without waiver of the foregoing objections, Plaintiff admits that the publisher of his ASSERTED WORKS does not possess the right to license the ASSERTED WORKS as training data for LLMs. Plaintiff further responds that he has entered into licensing agreements with Plaintiff’s

1 publisher for the ASSERTED WORKS and directs Meta to the terms of such licensing agreements,
 2 which speak for themselves.

3 **REQUEST FOR ADMISSION NO. 77:**

4 Admit that the publishers of YOUR ASSERTED WORK(S) would need YOUR permission
 5 to license the ASSERTED WORK(S) as training data for LLMs.

6 **RESPONSE TO REQUEST NO. 77:**

7 Plaintiff objects to this Request as vague and ambiguous as to the phrase, “YOUR permission.”
 8 Plaintiff further objects to this Request because it is an incomplete hypothetical untethered to the facts
 9 of the case. *See, e.g., Buchanan v. Chi. Transit Auth.*, No. 16-cv-4577, 2016 WL 7116591, at *5 (N.D. Ill.
 10 Dec. 7, 2016) (“Since requests to admit ‘must be connected to the facts of the case, courts do not
 11 permit “hypothetical” questions within requests for admission.’”); *Fulhorst v. Un. Techs. Auto., Inc.*,
 12 No. Civ. A. 96-577-JJF, 1997 WL 873548, at *3 (D. Del. Nov. 17, 1997) (denying request “asking
 13 Plaintiff to admit to infringement in the context of the hypothetical use of its device”); Fed. R. Civ. P.
 14 36 advisory committee’s note to 1946 amendment; *Universal Dyeing & Printing, Inc. v. Zoetop Bus. Co.*,
 15 No. CV-223741-FLA-RAO, 2023 WL 9004983, at *21 (C.D. Cal. June 23, 2023) (denying motion to
 16 compel where the Request for Admission was a hypothetical not tied to the facts at issue and an
 17 affirmative response would not reduce the burden on a jury at trial) (*citing Advantus, Corp. v. Sandpiper*
 18 *of Cal., Inc.*, No. 19-cv-1892-CAB (NLS), 2021 WL 2038318, at *2 (S.D. Cal. May 21, 2021) and *Apple*
 19 *Inc. v. Samsung Elecs. Co.*, No. C 11-cv-1846 LHK (PSG), 2012 WL 952254, at *4 (N.D. Cal. Mar. 20,
 20 2012)).

21 Subject to and without waiver of the foregoing objections, Plaintiff admits this Request.

22 **REQUEST FOR ADMISSION NO. 78:**

23 Admit that YOU have not granted another PERSON the right to license YOUR ASSERTED
 24 WORK(S) as training data for LLMs.

25 **RESPONSE TO REQUEST NO. 78:**

26 Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions
 27 Numbers 9, 10, 11, 69, and 70. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891,
 28 at *5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and

1 Dated: November 18, 2024

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23 [continued on next page]

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

15 RICHARD KADREY, *et al.*,

Case No. 3:23-cv-03417-VC

16 Individual and Representative
17 Plaintiffs,

PLAINTIFF MATTHEW KLAM'S
SECOND SUPPLEMENTAL RESPONSES
TO DEFENDANT'S SECOND AND THIRD
SETS OF REQUESTS FOR ADMISSIONS

18 v.

19 META PLATFORMS, INC, a Delaware
corporation,

20 Defendant.

1 **PROPOUNDING PARTY: Defendant Meta Platforms, Inc.**

2 **RESPONDING PARTY: Plaintiff Matthew Klam**

3 **SET NO.: One (Requests Nos. 24 [Second Supplemental], 67 And 68**

4 **[First Supplemental]**

5 **INTRODUCTION**

6 Plaintiff Matthew Klam (“Plaintiff”) hereby serves his responses and objections to
 7 Defendant Meta Platforms, Inc.’s (“Defendant” or “Meta”) First Set of Requests for Admissions
 8 (the “Requests” or “RFAs”).

9 **SUPPLEMENTAL RESPONSES TO REQUESTS FOR ADMISSIONS**

10 **REQUEST FOR ADMISSION NO. 24:**

11 Admit that YOU are personally unaware of any text generated by any of Meta’s Llama
 12 models that infringes YOUR ASSERTED WORKS.

13 **RESPONSE TO REQUEST FOR ADMISSION NO. 24:**

14 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling
 15 for discovery that is irrelevant and/or disproportional to the needs of the case because, as defined,
 16 it includes any person asked, hired, retained, or contracted to assist Plaintiff. Plaintiff will construe
 17 the terms “You” and “Your” as referring to Plaintiff Matthew Klam. Plaintiff objects to the phrase
 18 “personally unaware” as unintelligible. Plaintiff, in his individual capacity, responds, admit.

19 **SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 24:**

20 Plaintiff objects that the term “personally unaware” is vague and ambiguous. Plaintiff
 21 objects to the extent that responding to this Request requires adopting a legal conclusion. Plaintiff
 22 further objects to this Request as an improper subject of a Request for Admission.

23 Subject to and without waiving these objections, Plaintiff DENIES Request No. 24 based
 24 on the existence of material from his Asserted Works that purportedly is output from a Meta Large
 25 Language Model and has been made publicly available without his permission

26 **REQUEST FOR ADMISSION NO. 67:**

27 Admit that YOU have not granted the publishers of YOUR ASSERTED WORK(S) the
 28 right to license the ASSERTED WORK(S) as training data for LLMs.

1 RESPONSE TO REQUEST FOR ADMISSION NO. 67:

2 Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions
 3 Nos. 9, 10, and 11. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at
 4 *5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and
 5 duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a)
 6 and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los
 7 Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014).

8 Subject to and without waiving these general and specific objections, Plaintiff admits that
 9 Plaintiff has entered into licensing agreements with Plaintiff’s publisher for the Asserted Works
 10 and directs Meta to the terms of such licensing agreements, which speak for themselves.

11 SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 67:

12 Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions
 13 Nos. 9, 10, and 11. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at
 14 *5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and
 15 duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a)
 16 and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los
 17 Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014). Plaintiff
 18 objects to this Request to the extent it calls for a legal conclusion, is overbroad and to the extent it
 19 calls for privileged information.

20 Subject to and without waiving these objections, Plaintiff ADMITS Request No. 67 insofar
 21 as Plaintiff maintains these rights, and Plaintiff’s publisher has not, to date, presented Plaintiff a
 22 proposal similar to the publicly-reported Harper Collins agreement, which demonstrates that
 23 publishers assist in aggregating licenses that compensate authors for the acquisition of and use of
 24 their copyrighted material in connection with LLMs.

25 REQUEST FOR ADMISSION NO. 68:

26 Admit that the publishers of YOUR ASSERTED WORK(S) do not possess the right to
 27 license the ASSERTED WORK(S) as training data for LLMs.

1 **RESPONSE TO REQUEST FOR ADMISSION NO. 68:**

2 Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions
 3 Nos. 9, 10, 11, and 69. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891,
 4 at *5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative
 5 and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule
 6 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty.*
 7 *of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014).

8 Subject to and without waiving these general and specific objections, Plaintiff admits that
 9 Plaintiff has entered into licensing agreements with Plaintiff’s publisher for the Asserted Works
 10 and directs Meta to the terms of such licensing agreements, which speak for themselves.

11 **SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 68:**

12 Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions
 13 Nos. 9, 10, 11, and 69. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891,
 14 at *5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative
 15 and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule
 16 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty.*
 17 *of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014).
 18 Plaintiff objects to this Request to the extent it calls for a legal conclusion, is overbroad, and to the
 19 extent that it calls for privileged information.

20 Subject to and without waiving these objections, Plaintiff ADMITS Request No. 68 to the
 21 extent that he is the owner of those rights, but Plaintiff DENIES that publishers cannot serve as
 22 intermediaries and DENIES any implication that publishers play no role in licensing copyrighted
 23 works, including the acquisition of and use of such works in connection with LLMs.

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1 Dated: December 27, 2024

2 By: /s/ Bryan L. Clobes
3 Bryan L. Clobes

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

15 RICHARD KADREY, *et al.*,

Case No. 3:23-cv-03417-VC

16 Individual and Representative
17 Plaintiffs,

PLAINTIFF LAURA LIPPMAN'S
SECOND SUPPLEMENTAL RESPONSES
TO DEFENDANT'S SECOND AND THIRD
SETS OF REQUESTS FOR ADMISSIONS

18 v.

19 META PLATFORMS, INC, a Delaware
20 corporation,

Defendant.

1 **PROPOUNDING PARTY: Defendant Meta Platforms, Inc.**

2 **RESPONDING PARTY: Plaintiff Laura Lippman**

3 **SET NO.: One (Requests Nos. 24 [Second Supplemental], 75 And 76**

4 **[First Supplemental]**

5 **INTRODUCTION**

6 Plaintiff Laura Lippman (“Plaintiff”) hereby serves her responses and objections to
 7 Defendant Meta Platforms, Inc.’s (“Defendant” or “Meta”) First Set of Requests for Admissions
 8 (the “Requests” or “RFAs”).

9 **SUPPLEMENTAL RESPONSES TO REQUESTS FOR ADMISSIONS**

10 **REQUEST FOR ADMISSION NO. 24:**

11 Admit that YOU are personally unaware of any text generated by any of Meta’s Llama
 12 models that infringes YOUR ASSERTED WORKS.

13 **RESPONSE TO REQUEST FOR ADMISSION NO. 24:**

14 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling
 15 for discovery that is irrelevant and/or disproportional to the needs of the case because, as defined,
 16 it includes any person asked, hired, retained, or contracted to assist Plaintiff. Plaintiff will construe
 17 the terms “You” and “Your” as referring to Plaintiff Laura Lippman. Plaintiff objects to the phrase
 18 “personally unaware” as unintelligible. Plaintiff, in her individual capacity, responds, admit.

19 **SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 24:**

20 Plaintiff objects that the term “personally unaware” is vague and ambiguous. Plaintiff
 21 objects to the extent that responding to this Request requires adopting a legal conclusion. Plaintiff
 22 further objects to this Request as an improper subject of a Request for Admission.

23 Subject to and without waiving these objections, Plaintiff DENIES Request No. 24 based
 24 on the existence of material from her Asserted Works that purportedly is output from a Meta Large
 25 Language Model and has been made publicly available without her permission

26 **REQUEST FOR ADMISSION NO. 75:**

27 Admit that YOU have not granted the publishers of YOUR ASSERTED WORK(S) the
 28 right to license the ASSERTED WORK(S) as training data for LLMs.

1 **RESPONSE TO REQUEST FOR ADMISSION NO. 75:**

2 Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions
 3 Nos. 9, 10, and 11. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at
 4 *5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and
 5 duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a)
 6 and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los
 7 Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014).

8 Subject to and without waiving these general and specific objections, Plaintiff admits that
 9 Plaintiff has entered into licensing agreements with Plaintiff’s publisher for the Asserted Works
 10 and directs Meta to the terms of such licensing agreements, which speak for themselves.

11 **SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 75:**

12 Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions
 13 Nos. 9, 10, and 11. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at
 14 *5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and
 15 duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a)
 16 and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los
 17 Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014). Plaintiff
 18 objects to this Request to the extent it calls for a legal conclusion, is overbroad and to the extent it
 19 calls for privileged information.

20 Subject to and without waiving these objections, Plaintiff ADMITS Request No. 75 insofar
 21 as Plaintiff maintains these rights, and Plaintiff’s publisher has not, to date, presented Plaintiff a
 22 proposal similar to the publicly-reported Harper Collins agreement, which demonstrates that
 23 publishers assist in aggregating licenses that compensate authors for the acquisition of and use of
 24 their copyrighted material in connection with LLMs.

25 **REQUEST FOR ADMISSION NO. 76:**

26 Admit that the publishers of YOUR ASSERTED WORK(S) do not possess the right to
 27 license the ASSERTED WORK(S) as training data for LLMs.

1 **RESPONSE TO REQUEST FOR ADMISSION NO. 76:**

2 Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions
 3 Nos. 9, 10, 11, and 69. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891,
 4 at *5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative
 5 and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule
 6 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty.*
 7 *of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014).

8 Subject to and without waiving these general and specific objections, Plaintiff admits that
 9 Plaintiff has entered into licensing agreements with Plaintiff’s publisher for the Asserted Works
 10 and directs Meta to the terms of such licensing agreements, which speak for themselves.

11 **SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 76:**

12 Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions
 13 Nos. 9, 10, 11, and 69. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891,
 14 at *5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative
 15 and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule
 16 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty.*
 17 *of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014).
 18 Plaintiff objects to this Request to the extent it calls for a legal conclusion, is overbroad, and to the
 19 extent that it calls for privileged information.

20 Subject to and without waiving these objections, Plaintiff ADMITS Request No. 76 to the
 21 extent that she is the owner of those rights, but Plaintiff DENIES that publishers cannot serve as
 22 intermediaries and DENIES any implication that publishers play no role in licensing copyrighted
 23 works, including the acquisition of and use of such works in connection with LLMs.

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1 Dated: December 27, 2024

2 By: /s/ Bryan L. Clobes
3 Bryan L. Clobes

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14 *Counsel for Individual and Representative Plaintiffs*
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20 **UNITED STATES DISTRICT COURT**
21 **NORTHERN DISTRICT OF CALIFORNIA**
22 **SAN FRANCISCO DIVISION**

23 Richard Kadrey, et al.,

24 *Individual and Representative Plaintiffs,*

25 v.

26 Meta Platforms, Inc.,

27 *Defendant.*

28 | Lead Case No. 3:23-cv-03417-VC
| Case No. 4:23-cv-06663

PLAINTIFF SARAH SILVERMAN'S
RESPONSES TO DEFENDANT META
PLATFORMS, INC.'S THIRD SET OF
REQUESTS FOR ADMISSION

1 eliminate from the trial issues as to which there is no genuine dispute and, therefore, Requests for
 2 Admissions are not intended to be used as means of gathering evidence.” *Bovarie v. Schwarzenegger*,
 3 No. 08-CV-1661-LAB-NLS, 2011 WL 719206, at *6 (S.D. Cal. Feb. 22, 2011) (*citing Google Inc. v.*
 4 *American Blind & Wallpaper Factory, Inc.*, No. C. 03-5340 JF (RS), 2006 WL 2578277 (N.D. Cal. Sept.
 5 6, 2006)). To discover new information, parties must use other methods, like depositions, document
 6 requests, or interrogatories. *See, e.g., Republic of Turkey v. Christie’s, Inc.*, 326 F.R.D. 394, 399
 7 (S.D.N.Y. 2018) (explaining that “[w]hile the basic purpose of discovery is to elicit facts and
 8 information and to obtain production of documents, Rule 36 was not designed for this purpose.”)
 9 (quoting 7 Moore’s Federal Practice § 36.02[1])); *Spectrum Dynamics Med. Ltd. V. Gen. Elec. Co.*, 18-
 10 CV-11386-VSB-KHP, 2021 WL 735241, at *2 (S.D.N.Y. Feb. 25, 2021) (explaining that RFAs “are not
 11 designed to discover information like other discovery rules such as Rule 34” and excusing a party from
 12 responding where RFAs were “tantamount to contention interrogatories”). Plaintiff further objects to
 13 this Request as calling for legal analysis and a legal conclusion.

14 Subject to and without waiver of the foregoing objections, Subject to and without waiver of the
 15 foregoing objections, no response is required; and to the extent one is required, Plaintiff lacks sufficient
 16 knowledge to either admit or deny this Request.

17 **REQUEST FOR ADMISSION NO. 65:**

18 Admit that YOU have not granted the publishers of YOUR ASSERTED WORK(S) the right to
 19 license the ASSERTED WORK(S) as training data for LLMs.

20 **RESPONSE TO REQUEST NO. 65:**

21 Plaintiff objects to this Request as unreasonably cumulative of Requests for Admission Numbers
 22 9, 10, and 11. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at *5 (E.D. Cal.
 23 Mar. 28, 2022) (“Where requests for admission … are unreasonably cumulative and duplicative of
 24 other discovery taken in the case, the requests do not serve the purpose of Rule 36(a) and are properly
 25 subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los Angeles*, No. CV 13-
 26 3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014).

27 Subject to and without waiver of the foregoing objections, Plaintiff admits she has not granted
 28 the publisher of her ASSERTED WORK the right to license the ASSERTED WORK as training data

1 for LLMs. Plaintiff further responds that Plaintiff has entered into licensing agreements with Plaintiff's
 2 publisher for the ASSERTED WORK and directs Meta to the terms of such licensing agreements,
 3 which speak for themselves.

4 **REQUEST FOR ADMISSION NO. 66:**

5 Admit that the publishers of YOUR ASSERTED WORK(S) do not possess the right to license
 6 the ASSERTED WORK(S) as training data for LLMs.

7 **RESPONSE TO REQUEST NO. 66:**

8 Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions
 9 Numbers 9, 10, 11, and 69. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at *5
 10 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and
 11 duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a) and
 12 are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los Angeles*,
 13 No. CV 13-3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014).

14 Subject to and without waiver of the foregoing objections, Plaintiff admits that the publisher of
 15 her ASSERTED WORK does not possess the right to license the ASSERTED WORK as training data
 16 for LLMs. Plaintiff further responds that she has entered into licensing agreements with Plaintiff's
 17 publisher for the ASSERTED WORK and directs Meta to the terms of such licensing agreements,
 18 which speak for themselves.

19 **REQUEST FOR ADMISSION NO. 67:**

20 Admit that the publishers of YOUR ASSERTED WORK(S) would need YOUR permission to
 21 license the ASSERTED WORK(S) as training data for LLMs.

22 **RESPONSE TO REQUEST NO. 67:**

23 Plaintiff objects to this Request as vague and ambiguous as to the phrase, “YOUR permission.”
 24 Plaintiff further objects to this Request because it is an incomplete hypothetical untethered to the facts
 25 of the case. *See, e.g., Buchanan v. Chi. Transit Auth.*, No. 16-cv-4577, 2016 WL 7116591, at *5 (N.D. Ill.
 26 Dec. 7, 2016) (“Since requests to admit ‘must be connected to the facts of the case, courts do not
 27 permit “hypothetical” questions within requests for admission.’”); *Fulhorst v. Un. Techs. Auto., Inc.*,
 28 No. Civ. A. 96-577-JJF, 1997 WL 873548, at *3 (D. Del. Nov. 17, 1997) (denying request “asking

1 Dated: November 18, 2024

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

15 RICHARD KADREY, *et al.*,

Case No. 3:23-cv-03417-VC

16 Individual and Representative
17 Plaintiffs,

PLAINTIFF RACHEL LOUISE SNYDER'S
SECOND SUPPLEMENTAL RESPONSES
TO DEFENDANT'S SECOND AND THIRD
SETS OF REQUESTS FOR ADMISSIONS

18 v.

19 META PLATFORMS, INC, a Delaware
20 corporation,

Defendant.

1 **PROPOUNDING PARTY: Defendant Meta Platforms, Inc.**

2 **RESPONDING PARTY: Plaintiff Rachel Louise Snyder**

3 **SET NO.: One (Requests Nos. 24 [Second Supplemental], 65 And 66**

4 **[First Supplemental]**

5 **INTRODUCTION**

6 Plaintiff Rachel Louise Snyder (“Plaintiff”) hereby serves her responses and objections to
 7 Defendant Meta Platforms, Inc.’s (“Defendant” or “Meta”) First Set of Requests for Admissions
 8 (the “Requests” or “RFAs”).

9 **SUPPLEMENTAL RESPONSES TO REQUESTS FOR ADMISSIONS**

10 **REQUEST FOR ADMISSION NO. 24:**

11 Admit that YOU are personally unaware of any text generated by any of Meta’s Llama
 12 models that infringes YOUR ASSERTED WORKS.

13 **RESPONSE TO REQUEST FOR ADMISSION NO. 24:**

14 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling
 15 for discovery that is irrelevant and/or disproportional to the needs of the case because, as defined,
 16 it includes any person asked, hired, retained, or contracted to assist Plaintiff. Plaintiff will construe
 17 the terms “You” and “Your” as referring to Plaintiff Rachel Louise Snyder. Plaintiff objects to the
 18 phrase “personally unaware” as unintelligible. Plaintiff, in her individual capacity, responds,
 19 admit.

20 **SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 24:**

21 Plaintiff objects that the term “personally unaware” is vague and ambiguous. Plaintiff
 22 objects to the extent that responding to this Request requires adopting a legal conclusion. Plaintiff
 23 further objects to this Request as an improper subject of a Request for Admission.

24 Subject to and without waiving these objections, Plaintiff DENIES Request No. 24 based
 25 on the existence of material from her Asserted Works that purportedly is output from a Meta Large
 26 Language Model and has been made publicly available without her permission

27 **REQUEST FOR ADMISSION NO. 65:**

28 Admit that YOU have not granted the publishers of YOUR ASSERTED WORK(S) the

1 right to license the ASSERTED WORK(S) as training data for LLMs.

2 **RESPONSE TO REQUEST FOR ADMISSION NO. 65:**

3 Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions
 4 Nos. 9, 10, and 11. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at
 5 *5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and
 6 duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a)
 7 and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los
 8 Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014).

9 Subject to and without waiving these general and specific objections, Plaintiff admits that
 10 Plaintiff has entered into licensing agreements with Plaintiff’s publisher for the Asserted Works
 11 and directs Meta to the terms of such licensing agreements, which speak for themselves.

12 **SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 65:**

13 Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions
 14 Nos. 9, 10, and 11. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at
 15 *5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and
 16 duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a)
 17 and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los
 18 Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014). Plaintiff
 19 objects to this Request to the extent it calls for a legal conclusion, is overbroad and to the extent it
 20 calls for privileged information.

21 Subject to and without waiving these objections, Plaintiff ADMITS Request No. 65 insofar
 22 as Plaintiff maintains these rights, and Plaintiff’s publisher has not, to date, presented Plaintiff a
 23 proposal similar to the publicly-reported Harper Collins agreement, which demonstrates that
 24 publishers assist in aggregating licenses that compensate authors for the acquisition of and use of
 25 their copyrighted material in connection with LLMs.

26 **REQUEST FOR ADMISSION NO. 66:**

27 Admit that the publishers of YOUR ASSERTED WORK(S) do not possess the right to
 28 license the ASSERTED WORK(S) as training data for LLMs.

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2 **RESPONSE TO REQUEST FOR ADMISSION NO. 66:**

3 Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions
 4 Nos. 9, 10, 11, and 69. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891,
 5 at *5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative
 6 and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule
 7 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty.*
 8 *of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014).

9 Subject to and without waiving these general and specific objections, Plaintiff admits that
 10 Plaintiff has entered into licensing agreements with Plaintiff’s publisher for the Asserted Works
 11 and directs Meta to the terms of such licensing agreements, which speak for themselves.

12 **SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 66:**

13 Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions
 14 Nos. 9, 10, 11, and 69. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891,
 15 at *5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative
 16 and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule
 17 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty.*
 18 *of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014).
 19 Plaintiff objects to this Request to the extent it calls for a legal conclusion, is overbroad, and to the
 20 extent that it calls for privileged information.

21 Subject to and without waiving these objections, Plaintiff ADMITS Request No. 66 to the
 22 extent that she is the owner of those rights, but Plaintiff DENIES that publishers cannot serve as
 23 intermediaries and DENIES any implication that publishers play no role in licensing copyrighted
 24 works, including the acquisition of and use of such works in connection with LLMs.

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1 Dated: December 27, 2024

2 By: /s/ Bryan L. Clobes
3 Bryan L. Clobes

4 Bryan L. Clobes (*pro hac vice*)
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22 *Counsel for Individual and Representative Plaintiffs*
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5 *Counsel for Plaintiffs and the Proposed
 6 Class, Additional Counsel Listed Below*

7
 8
 9
 UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

10 RICHARD KADREY, *et al.*,
 11 Individual and Representative
 12 Plaintiffs,
 13 v.
 14 META PLATFORMS, INC, a Delaware
 15 corporation,
 Defendant.

Case No. 3:23-cv-03417-VC

PLAINTIFF LYSA TERKEURST'S SECOND
 SUPPLEMENTAL RESPONSES TO
 DEFENDANT'S SECOND AND THIRD
 SETS OF REQUESTS FOR ADMISSIONS

16 PROPOUNDING PARTY: DEFENDANT META PLATFORMS, INC.

17 RESPONDING PARTY: PLAINTIFF LYSA TERKEURST

18 SET NO.: ONE (Requests Nos. 24 [SECOND SUPPLEMENTAL], 69 and 70
 19 [FIRST SUPPLEMENTAL])

20 **INTRODUCTION**

21 Plaintiff Lysa TerKeurst ("Plaintiff") hereby serves her responses and objections to
 22 Defendant Meta Platforms, Inc.'s ("Defendant" or "Meta") Second and Third Set of Requests for
 23 Admissions (the "Requests" or "RFAs").

24 **SUPPLEMENTAL RESPONSES TO REQUESTS FOR ADMISSIONS**

25 **REQUEST FOR ADMISSION NO. 24:**

26 Admit that YOU are personally unaware of any text generated by any of Meta's Llama
 27 models that infringes YOUR ASSERTED WORKS.

RESPONSE TO REQUEST FOR ADMISSION NO. 24:

1 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and
 2 calling for discovery that is irrelevant and/or disproportional to the needs of the case
 3 because, as defined, it includes any person asked, hired, retained, or contracted to assist Plaintiff.
 4 Plaintiff will construe the terms “You” and “Your” as referring to Plaintiff Lysa TerKeurst.
 5 Plaintiff objects to the phrase “personally unaware” as unintelligible. Subject to and without
 6 waiving these objections, Plaintiff denies Request No. 24.

SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 24:

9 Plaintiff objects that the term “personally unaware” is vague and ambiguous. Plaintiff
 10 objects to the extent that responding to this Request requires adopting a legal conclusion. Plaintiff
 11 further objects to this Request as an improper subject of a Request for Admission.

12 Subject to and without waiving these objections, Plaintiff DENIES Request No. 26 based
 13 on the existence of material from her Asserted Works that purportedly is output from a Meta
 14 Large Language Model and has been made publicly available without her permission.

REQUEST FOR ADMISSION NO. 69:

16 Admit that YOU have not granted the publishers of YOUR ASSERTED WORK(S) the
 17 right to license the ASSERTED WORK(S) as training data for LLMs.

RESPONSE TO REQUEST FOR ADMISSION NO. 69:

19 Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions
 20 Numbers 9, 10, and 11. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891,
 21 at *5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission … are unreasonably cumulative
 22 and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule
 23 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty.*
 24 *of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014).
 25 Subject to and without waiver of the foregoing objections, Plaintiff admits that Plaintiff has entered
 26 into licensing agreements with Plaintiff’s publisher for the ASSERTED WORKS and directs Meta
 27 to the terms of such licensing agreements, which speak for themselves.

1 **SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 69:**

2 Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions
 3 Nos. 9, 10, and 11. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at *5
 4 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and
 5 duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a)
 6 and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los
 7 Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014). Plaintiff
 8 objects to this Request to the extent it calls for a legal conclusion, is overbroad and to the extent it
 9 calls for privileged information.

10 Subject to and without waiving these objections, Plaintiff ADMITS Request No. 69 insofar
 11 as Plaintiff maintains these rights, and Plaintiff's publisher has not, to date, presented Plaintiff a
 12 proposal similar to the publicly-reported Harper Collins agreement, which demonstrates that
 13 publishers can assist in aggregating licenses that compensate authors for the acquisition of and use
 14 of their copyrighted material in connection with LLMs.

15 **REQUEST FOR ADMISSION NO. 70:**

16 Admit that the publishers of YOUR ASSERTED WORK(S) do not possess the right to
 17 license the ASSERTED WORK(S) as training data for LLMs.

18 **RESPONSE TO REQUEST FOR ADMISSION NO. 70:**

19 Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions
 20 Nos. 9, 10, 11, and 69. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891,
 21 at *5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative
 22 and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule
 23 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty.
 24 of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014).

25 Subject to and without waiving these general and specific objections, Plaintiff admits that
 26 Plaintiff has entered into licensing agreements with Plaintiff's publisher for the Asserted Works
 27 and directs Meta to the terms of such licensing agreements, which speak for themselves.

1 **SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 70:**

2 Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions
 3 Nos. 9, 10, 11, and 69. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891,
 4 at *5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative
 5 and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule
 6 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty.*
 7 *of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014).
 8 Plaintiff objects to this Request to the extent it calls for a legal conclusion, is overbroad, and to
 9 the extent that it calls for privileged information.

10 Subject to and without waiving these objections, Plaintiff ADMITS Request No. 70 to the
 11 extent that she is the owner of those rights, but Plaintiff DENIES that publishers cannot serve as
 12 intermediaries and DENIES any implication that publishers play no role in licensing copyrighted
 13 works, including the acquisition of and use of such works in connection with LLMs.

14 Dated: December 27, 2024

15 By: /s/ James A. Ulwick
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 17 Nada Djordjevic (*pro hac vice*)
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16
17 *Counsel for Individual and Representative*
18 *Plaintiffs and the Proposed Class*

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

15 RICHARD KADREY, *et al.*,

Case No. 3:23-cv-03417-VC

16 Individual and Representative
17 Plaintiffs,

PLAINTIFF JACQUELINE WOODSON'S
SECOND SUPPLEMENTAL RESPONSES
TO DEFENDANT'S SECOND AND THIRD
SETS OF REQUESTS FOR ADMISSIONS

18 v.

19 META PLATFORMS, INC, a Delaware
20 corporation,

Defendant.

1 **PROPOUNDING PARTY: Defendant Meta Platforms, Inc.**

2 **RESPONDING PARTY: Plaintiff Jacqueline Woodson**

3 **SET NO.: One (Requests Nos. 24 [Second Supplemental], 83 And 84**

4 **[First Supplemental]**

5 **INTRODUCTION**

6 Plaintiff Jacqueline Woodson (“Plaintiff”) hereby serves her responses and objections to
 7 Defendant Meta Platforms, Inc.’s (“Defendant” or “Meta”) First Set of Requests for Admissions
 8 (the “Requests” or “RFAs”).

9 **SUPPLEMENTAL RESPONSES TO REQUESTS FOR ADMISSIONS**

10 **REQUEST FOR ADMISSION NO. 24:**

11 Admit that YOU are personally unaware of any text generated by any of Meta’s Llama
 12 models that infringes YOUR ASSERTED WORKS.

13 **RESPONSE TO REQUEST FOR ADMISSION NO. 24:**

14 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling
 15 for discovery that is irrelevant and/or disproportional to the needs of the case because, as defined,
 16 it includes any person asked, hired, retained, or contracted to assist Plaintiff. Plaintiff will construe
 17 the terms “You” and “Your” as referring to Plaintiff Jacqueline Woodson. Plaintiff objects to the
 18 phrase “personally unaware” as unintelligible. Plaintiff, in her individual capacity, responds,
 19 admit.

20 **SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 24:**

21 Plaintiff objects that the term “personally unaware” is vague and ambiguous. Plaintiff
 22 objects to the extent that responding to this Request requires adopting a legal conclusion. Plaintiff
 23 further objects to this Request as an improper subject of a Request for Admission.

24 Subject to and without waiving these objections, Plaintiff DENIES Request No. 24 based
 25 on the existence of material from her Asserted Works that purportedly is output from a Meta Large
 26 Language Model and has been made publicly available without her permission

27 **REQUEST FOR ADMISSION NO. 83:**

28 Admit that YOU have not granted the publishers of YOUR ASSERTED WORK(S) the

1 right to license the ASSERTED WORK(S) as training data for LLMs.

2 **RESPONSE TO REQUEST FOR ADMISSION NO. 83:**

3 Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions
 4 Nos. 9, 10, and 11. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at
 5 *5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and
 6 duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a)
 7 and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los
 8 Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014).

9 Subject to and without waiving these general and specific objections, Plaintiff admits that
 10 Plaintiff has entered into licensing agreements with Plaintiff’s publisher for the Asserted Works
 11 and directs Meta to the terms of such licensing agreements, which speak for themselves.

12 **SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 83:**

13 Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions
 14 Nos. 9, 10, and 11. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at
 15 *5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and
 16 duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a)
 17 and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los
 18 Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014). Plaintiff
 19 objects to this Request to the extent it calls for a legal conclusion, is overbroad and to the extent it
 20 calls for privileged information.

21 Subject to and without waiving these objections, Plaintiff ADMITS Request No. 83 insofar
 22 as Plaintiff maintains these rights, and Plaintiff’s publisher has not, to date, presented Plaintiff a
 23 proposal similar to the publicly-reported Harper Collins agreement, which demonstrates that
 24 publishers assist in aggregating licenses that compensate authors for the acquisition of and use of
 25 their copyrighted material in connection with LLMs.

26 **REQUEST FOR ADMISSION NO. 84:**

27 Admit that the publishers of YOUR ASSERTED WORK(S) do not possess the right to
 28 license the ASSERTED WORK(S) as training data for LLMs.

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2 **RESPONSE TO REQUEST FOR ADMISSION NO. 84:**

3 Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions
 4 Nos. 9, 10, 11, and 69. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891,
 5 at *5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative
 6 and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule
 7 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty.*
 8 *of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014).

9 Subject to and without waiving these general and specific objections, Plaintiff admits that
 10 Plaintiff has entered into licensing agreements with Plaintiff’s publisher for the Asserted Works
 11 and directs Meta to the terms of such licensing agreements, which speak for themselves.

12 **SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 84:**

13 Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions
 14 Nos. 9, 10, 11, and 69. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891,
 15 at *5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative
 16 and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule
 17 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty.*
 18 *of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014).
 19 Plaintiff objects to this Request to the extent it calls for a legal conclusion, is overbroad, and to the
 20 extent that it calls for privileged information.

21 Subject to and without waiving these objections, Plaintiff ADMITS Request No. 84 to the
 22 extent that she is the owner of those rights, but Plaintiff DENIES that publishers cannot serve as
 23 intermediaries and DENIES any implication that publishers play no role in licensing copyrighted
 24 works, including the acquisition of and use of such works in connection with LLMs.

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1 Dated: December 27, 2024

2 By: /s/ Bryan L. Clobes
3 Bryan L. Clobes

4 Bryan L. Clobes (*pro hac vice*)
5 Alexander J. Sweatman (*pro hac vice*)
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